

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

July 22, 2002
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Lee, Mosher, and Noble

ABSENT: None.

1. Executive Session

Deputy Mayor Degginger opened the meeting at 6:00 p.m. and announced recess to executive session for approximately 80 minutes to discuss one item of property acquisition and one item of potential litigation.

The study session resumed at 7:45 p.m. with Mayor Marshall presiding.

Ron Langley, Public Information Officer, described technical difficulties experienced during recent Council meetings. He said the problems with cameras and the audio system will be repaired during Council's August recess.

2. Oral Communications

- (a) Bernie Goddard thanked City Manager Steve Sarkozy and staff for responding to his email about technical problems at recent Council meetings.
- (b) Craig Saddler, Vice President of Finance for Boeing Shared Services and a member of the Bellevue Chamber of Commerce Board of Directors, spoke in favor of the proposed Comprehensive Plan amendments for the Boeing Eastgate property. He feels the proposed enhancements to this property will benefit the City, residential neighbors, and employees and shareholders of The Boeing Company. The project will create new jobs while enhancing Bellevue's quality of life with the addition of a major new park. Although not related to this proposal, Mr. Saddler acknowledged public questions about a new security fence around a portion of the campus. He explained that construction of this fence is necessary as part of Boeing's increased security measures since September 11.

- (c) Bill Serr expressed concern about pedestrian safety along the Richards Road construction project.

City Manager Steve Sarkozy said pedestrians are discouraged along the Richards Road project due to heavy construction equipment activity.

- (d) Eric Campbell, CamWest Development, expressed support for the Albright properties Comprehensive Plan amendment, which would change the zoning map designation from single family-low to single family-medium (SF-M). He said the property has experienced a change in circumstances since 1995. Specifically, Lakemont Boulevard has been completed and the neighborhood has experienced significant development bringing infrastructure improvements to the Albright properties. Mr. Campbell said the road to the Albright properties travels through property zoned as single family-urban. The single family-medium designation will allow the development of more homes on smaller lots, for which there is a high demand in the area. He noted the Planning Commission's recommendation to approve this CPA.
- (e) Richard Ullman owns two parcels in the Albright properties. He said the properties were not reviewed during the 1995 CPA process although adjacent properties were included in that review. Mr. Ullman feels the single family-low designation is inconsistent with surrounding development, which includes single family-urban zoning. He encouraged Council to correct this inconsistency and to allow development to make the best use of infrastructure now in place.
- (f) Marsha Martin, Land Use Attorney with Foster Pepper & Shefelman, spoke on behalf of CamWest Development and requested Council support of the Albright Properties CPA. She thanked the Planning Commission for their work. She noted there has been no community opposition to the proposal. Ms. Martin addressed staff's opposition to the proposal. She said Planning Commissioners in 1995 noted the property was rural in nature, which has since changed. She said Commissioner Chelminiak recently opined that its current zoning is out of character with surrounding densities.
- (g) T.J. Woosley described the request of Hal Woosley Properties in October 2000 that a Comprehensive Plan amendment be initiated to allow apparel/accessories retail and miscellaneous retail trade uses in Bellevue's General Commercial (GC) business districts. He has turned prospective tenants away from Brierwood Center because their businesses are not allowed, and these businesses ultimately located outside of Bellevue.
- (h) Georgia Roxbury, Property Manager with Legacy Commercial, spoke on behalf of business owners of Bellevue Design Market on 116th Avenue NE. She encouraged Council to approve apparel/accessories retail and miscellaneous retail uses for GC business districts. Bellevue Design Market currently has more than 10,000 square feet of vacant space and has turned away potential tenants due to their type of business.
- (i) Todd Woosley spoke in favor of amending the GC definition in the Comprehensive Plan to add apparel/accessories retail and miscellaneous retail uses.

- (j) Tony Schuler, President of Somerset Community Association, said residents favor the rapid and sensible deployment of wireless technology in neighborhoods. He encouraged other neighborhood associations to join in their efforts to promote wireless deployment.
- (k) Hugh Burleson introduced Daiji “Itchie” Ichinomoto, a staff exchange participant from one of Bellevue’s sister cities, Yao, Japan.

3. Study Session

- (a) Proclamation of August 4, 2002 as National KidsDay in Bellevue

Mayor Marshall read a proclamation declaring August 4, 2002, as National KidsDay in Bellevue.

- (b) Council New Initiatives

No new initiatives were discussed.

- (c) 2002 Comprehensive Plan Amendments

City Manager Steve Sarkozy introduced the discussion of twelve individual Comprehensive Plan amendments (CPAs) and two Land Use Code amendments. Planning Director Dan Stroh recalled Council’s review of the CPA docket earlier this year. The Planning Commission has held study sessions and public hearings on the proposed CPAs and developed recommendations for Council.

Mr. Stroh described the CPAs related to Boeing’s Eastgate campus. The first is a proposal to create an office limited business – open space (OLB-OS) designation. Boeing has requested a map change for 72 acres from LI (light industrial) to OLB (office limited business) and a map change for 29 acres from LI to OLB-OS. Plans for the Boeing property include a City detention pond (2.5 acres), an office building (3.7 acres), and an OLB designation for 66 acres of the 95-acre Boeing office complex. The northern 14 acres closest to residential areas will remain open space. A third proposed CPA will amend Comprehensive Plan Policy S-EG-38 to remove references to the LI designation. An associated Land Use Code amendment would establish the OLB-OS portion as a land use zoning district, change the allowable building height to a maximum of 70 feet, and modify interior setbacks, lot coverage requirements, and parking requirements.

Patsy Bonincontri, Planning Commission Chair, said the Commission held four study sessions on the CPAs, toured the sites, and then held public hearings. The Commission voted unanimously to recommend approval of the CPAs affecting the Boeing Eastgate campus. Ms. Bonincontri said the Commission recommends the City pursue efforts to upgrade the storm water system on the site.

Responding to Mr. Creighton, Ms. Bonincontri said earlier concerns about building heights appear to have been addressed by Boeing’s plans for screening measures. She said no one raised this issue at the last public hearing.

Moving on, Mr. Stroh described the proposed CPA for the Albright properties, which would amend the Newcastle Subarea Comprehensive Plan map on 8.19 acres from SF-L (single family, low density) to SF-M (single family, medium). Ms. Bonincontri said the Planning Commission voted 5-1 in favor of this amendment, with Chair Bonincontri dissenting and Commissioner Steed absent. The Commission concluded that a designation of SF-M represents a more efficient use of the space, which is bordered by comparable medium to high density uses.

Mr. Stroh noted a staff memo in the Council packet recommending denial of this CPA. Staff references previous reviews of the Albright properties and feels circumstances have not changed significantly to warrant a reconsideration. Staff concluded that the existing designation is consistent with surrounding uses.

Responding to Mayor Marshall, Senior Planner Nicholas Matz described a map of the area and noted the surrounding zoning including R-1 (single family, one unit per acre), R-1.8, R-3.5 (single family-medium), R-7.5 (single family-urban residential), and R-10 (multifamily-low).

Responding to Mr. Mosher, Mr. Stroh recalled Council direction to staff in 2000 to review undeveloped parcels in the Newcastle Subarea that had not been reviewed in the earlier 1995 study. Mr. Matz said the 1995 study identified approximately 10 sites in the subarea for review. Council ultimately took action on the tax lots and the Cole and Brackett properties.

Responding to Mr. Degginger, Mr. Matz said the Albright properties are fairly level. A portion of the property is approximately 50 feet higher than the level of Cougar Mountain Way. Mr. Matz said older properties to the east are zoned primarily as R-1. Some have applied for rezones to R-1.8. Referring to properties to the north, Mr. Matz said Council adopted policies to limit access to Cougar Mountain Way. The Planning Commission originally recommended higher densities for these properties, but Council decided a designation of SF-M (single family-medium) was more appropriate.

Dr. Davidson recalled Council's past interest in providing a variety of housing densities on Cougar Mountain.

Responding to Mr. Degginger, Mr. Matz said the average household size in the area is 2.66 persons. The Albright properties are in the Issaquah School District.

Responding to Mayor Marshall, Mr. Stroh confirmed that the current R-1 designation would allow eight houses and the requested SF-M designation (R-3.5) could result in 28 units on the site.

In response to Mr. Noble, Mr. Stroh said one criteria for considering a CPA is the presence of changed circumstances. Staff's memo makes the point that the realization of planned growth in the Newcastle Subarea does not constitute a significant change in circumstances.

Mr. Creighton agrees with the Planning Commission that the requested CPA appears to be compatible with surrounding uses and neighborhood character. He feels the change will provide more affordable housing, relatively speaking, for the area.

Mr. Mosher said this area has been studied possibly more than any other in the city. He feels there have not been significantly changed circumstances to justify the proposed CPA.

Deputy Mayor Degginger concurred about the lack of changed circumstances. Responding to Mr. Degginger's concern about traffic impacts, Mr. Matz said Comprehensive Plan policies support minimizing access onto Cougar Mountain Way.

Responding to Mayor Marshall, Mr. Matz said there are five owners for the six Albright properties and CamWest Development is acting as the agent for all of the properties.

Mr. Noble feels the Albright CPA is consistent with surrounding land uses and the goal to provide more affordable housing.

Continuing, Mr. Stroh described the JMR-Lakemont CPA proposal to amend the Newcastle Subarea Comprehensive Plan map for 13.62 acres from SF-M to SF-H (single family-high density). Ms. Bonincontri said the Planning Commission recommends denial of this request. She said the Hillside School wanted to use a portion of the site and then subdivide the rest to generate a trust fund for the school. Noting environmental constraints on the site, Ms. Bonincontri said the Planning Commission is frustrated the City does not have a mechanism for transferring density on the site except for the planned unit development (PUD) process which is cost-prohibitive for some applicants.

Mayor Marshall said there was general opposition to this proposal at the public hearing. She noted Council consensus to support the Planning Commission's recommendation to deny the CPA.

Mr. Stroh described two proposals: 1) Neighborhood Business CPA to amend the NB definition in the Comprehensive Plan glossaries to allow for a limited amount of administrative office use in the NB district, and 2) Danieli CPA to amend the Southwest Bellevue Subarea Plan Map from NB to CB (Community Business) on a 1.5-acre Bellevue Way site containing the Pancake Corral restaurant.

Mr. Mosher expressed support for measures to revitalize neighborhood businesses. He questioned whether the Commission considered residential uses, rather than office uses, on upper floors. Ms. Bonincontri said the Commission intended to limit the amount of office space to be allowed on a second floor. Mr. Stroh said the objective of this CPA proposal is to stimulate neighborhood businesses rather than provide housing, which was the objective in discussions a couple of years ago. Responding to Mr. Mosher, Comprehensive Planning Manager Kathleen Burgess said retail uses could be located on upper floors.

Deputy Mayor Degginger expressed support for locating administrative offices on a second floor, particularly if it helps to make a center more viable. Mayor Marshall noted some objections to potential building heights by the public. Ms. Bonincontri said the Planning Commission has not yet recommended a building height and this issue would be addressed as part of a Land Use Code amendment.

Moving on, Mr. Stroh described the proposal to amend the General Commercial (GC) definition in the Comprehensive Plan glossaries to add “retail sales of goods and services for business uses” as an appropriate use in the GC district. Ms. Bonincontri said the Planning Commission voted unanimously to recommend approval of this CPA (with Commissioner Steed absent). The Commission was reluctant to consider a full range of retail uses due to concerns that such a policy would cause higher land prices and an eventual decline in car repair and wholesale uses that could not afford the higher rents.

In response to Mr. Mosher, Mr. Stroh said examples of retail uses under the proposed definition include uniform sales and office supplies. If Council adopts the CPA, a list of business-to-business retail uses will be established.

Responding to Mr. Noble, Mr. Stroh said Bellevue has focused its traditional retail development in selected areas such as Bellevue Square and Crossroads Shopping Center. This strategy is thought to provide the best opportunity for success for the primary retail areas. Mr. Stroh said previous studies have concluded that allowing general retail throughout the community tends to drive out businesses such as car repair, as noted earlier. He acknowledged retail vacancies throughout the city but cautioned against adopting permanent policy changes in response to the current economic situation.

In response to Mr. Degginger, Associate Planner Steve Cohn said miscellaneous retail includes uses not otherwise defined such as bookstores, pharmacies, florists, and video stores. Bellevue initially followed King County’s zoning as unincorporated areas were annexed, which allowed all types of retail uses in GC zones. In the mid-1970s, City Council decided to focus most retail in specific areas of the city and to limit retail uses in GC zones.

Mr. Mosher commented that the market appears to have changed since the 1970s, particularly with today’s large superstores. He feels the downtown will continue to be attractive to higher end stores.

Mayor Marshall noted Council consensus to approve the restoration of miscellaneous retail uses, as well as retail sales of goods and services for business uses, under the GC definition.

Mr. Stroh described a CPA proposal to amend the Crossroads Subarea Plan Map designation for the Crossroads Chevron site (also a 7-11 store and Eastside Pet Adoption Center) from office (O) to neighborhood business (NB). Ms. Bonincontri said the Planning Commission recommends approval of this amendment. The map designation was changed from community business (CB) to office (O) in 1985 in part to provide a lower intensity land use transition to the neighborhoods. As a result, current uses are non-conforming under the office designation. Mr. Matz said the owner of Crossroads Chevron is interested in pursuing a rezone application to add a convenience store and car wash.

Mr. Stroh said the next CPA under consideration adds several policies to the Comprehensive Plan to address the siting of essential public facilities. The proposed policies require that an essential public facility (EPF) not otherwise regulated by the Land Use Code be sited through the Process I conditional use process and encourage development of a multi-jurisdictional siting

process for an EPF serving regional or statewide needs. The proposed policies also address the appropriate locations for siting a particular type of EPF known as secure community transition facilities (SCTF).

Mr. Stroh reviewed the highlights of a proposed Land Use Code amendment:

- SCTFs are identified as a conditional use in all land use districts but would not be allowed in single-family residential, downtown, and NB (neighborhood business) districts.
- A 300-foot separation would be required between these facilities and residential property.
- SCTFs must comply with state laws and regulations.
- Reserves the City's ability to seek additional public safety measures for specific sites.

The Planning Commission will hold a public hearing on the Land Use Code amendment affecting SCTFs on July 31. Ms. Bonincontri said the Planning Commission recommends approval of the essential public facility CPA.

Mayor Marshall noted Council's concern regarding SCTFs. Mr. Mosher thanked staff members for their work to preempt the State's deadline of September 1 for developing SCTF policies.

Moving on, Mr. Stroh described the Bridle Trails CPA to amend Bridle Trails Subarea Policy S-BT-17 and the Bridle Trails/Bel-Red/Crossroads Transportation Facility Plan to bring them into conformance with the Bel-Red Overlake TFP as adopted under the BROTS II CPA. Ms. Bonincontri said the Planning Commission recommends approval of this CPA. Mayor Marshall noted Council's support of the proposal.

Mr. Stroh described the last CPA, a proposal to amend Figure UD-1 and street corridor policies UD-41 and UD-43 contained in the Urban Design Element of the Comprehensive Plan. This amendment will enhance opportunities to develop gateway and neighborhood identity treatments and update the map of applicable boulevards and designated intersections. Ms. Bonincontri said the Planning Commission recommends approval of this CPA. She noted many citizens are interested in gateways and identity elements.

Deputy Mayor Degginger expressed appreciation for the Planning Commission's hard work to review an extensive CPA docket. He welcomed newly appointed Commissioner Chelminiak.

(d) Wireless Communications Facilities Comprehensive Plan Amendments

Mr. Stroh recalled that Council initiated the wireless communications facilities CPA in April to allow consideration of a full range of options for implementing wireless deployment. He noted that state law requires the single adoption of a CPA docket annually. Due to the Planning Commission's process, the wireless CPA cannot meet the scheduling requirements of the remainder of the 2002 CPAs. As a result, action on this CPA must be delayed until 2003 or processed as an emergency. Mr. Stroh asked Council to consider directing staff to prepare a resolution for action on August 5, 2002, declaring an emergency and directing continued consideration of the wireless CPA together with any related Land Use Code amendments, separate from the 2002 CPA package.

Ms. Bonincontri said the Planning Commission held a study session on this issue but continues to have many questions regarding wireless equipment and distribution plans. She said wireless vendors are reluctant to provide this information because they consider it to be proprietary.

Responding to Mr. Degginger, Ms. Bonincontri said the declaration of an emergency would preserve the option for taking action on the wireless CPA and Land Use Code amendments this year. Deputy Mayor Degginger reiterated Council's previous request for feedback from neighborhood associations, information about dispersion strategies, and visual depictions of equipment. He is concerned about the lack of cooperation by wireless providers. Mr. Stroh said photo simulations have been prepared and presented to the Planning Commission.

- ➡ Dr. Davidson moved to direct staff to prepare a resolution for action on August 5, 2002, declaring an emergency and directing continued consideration of the Wireless CPA (amendments to UT-55, UT-56a, and other wireless policies as necessary to support related Land Use Code amendments) together with any related Land Use Code amendments, independent from the remainder of 2002 Comprehensive Plan Amendments. Mr. Mosher seconded the motion.

Mr. Stroh clarified that the declaration of an emergency will allow continued consideration of the amendments. However, it does not guarantee any particular action or outcome.

In response to Mr. Noble, Mr. Stroh said the intent of the CPA is to create a more streamlined process for wireless deployment.

- ➔ Deputy Mayor Degginger suggested the resolution direct staff to involve the neighborhoods, and Dr. Davidson accepted this as a friendly amendment. Mr. Mosher, as seconder to the motion, concurred.

Mr. Noble agrees with the concept but feels this is not an appropriate amendment to the motion.

- ➡ The motion to direct staff to prepare a resolution for action on August 5, 2002, declaring an emergency and directing continued consideration of the Wireless CPA (amendments to UT-55, UT-56a, and other wireless policies as necessary to support related Land Use Code amendments) together with any related Land Use Code amendments, independent from the remainder of 2002 Comprehensive Plan Amendments, as amended by Mr. Degginger, carried by a vote of 5-2 with Mr. Creighton and Mr. Noble dissenting.
- ➡ At 9:55 p.m., Mr. Degginger moved to extend the meeting to 11:00 p.m., and Mr. Mosher seconded the motion.
- ➡ The motion to extend the meeting to 11:00 p.m. carried by a vote of 7-0.

Mayor Marshall declared a break, and the meeting resumed at 10:02 p.m.

- (e) Budget Review Session – Survey results and community outreach

City Manager Steve Sarkozy indicated that tonight's presentation will focus on the budget survey of residents and additional outreach efforts.

Planning Director Dan Stroh reviewed the survey results. When asked about Bellevue's overall quality of life, 95 percent rated it as good or excellent for the following reasons: location/convenience, parks and open space, safety, attractive and well planned, good neighborhood/sense of community, transportation system, quality of schools, and arts/entertainment. When asked about the biggest problem in the community, 71 percent identified transportation/traffic congestion. Residents have increasingly identified traffic and transportation as a priority since 1996, while those citing crime as a priority have decreased.

The majority of residents rated their neighborhood quality of life as good (47 percent) or excellent (46 percent) and offered the following reasons: nice people, location/convenience, quiet/peaceful, nice homes, safe, parks/open space and recreation, and transportation. When asked whether there is any problem in their neighborhood the City should address, 62 percent said no. Of those noting a problem in their neighborhood, areas identified as needing improvement include transportation (48 percent), livability issues such as property cleanup, parks/recreation, noise, affordable housing (26 percent), and public safety (14 percent).

Mr. Stroh said residents identified transportation and public safety as top budget priorities. When asked to rate the most important services and facilities, residents gave the highest ratings to emergency medical services (EMS), fire response, police response, crime investigation, street light/signal and sidewalk maintenance, disaster planning, hazardous materials response, roads, and parks. Residents identified the following services as having the highest satisfaction ratings: fire response, EMS, hazardous materials response, police response, street and park maintenance, and fire prevention.

Mr. Stroh discussed the gaps between importance and satisfaction ratings for specific priorities. He noted that all of the areas with larger gaps in 2002 also had the biggest gaps in prior years. There are fewer service areas with large gaps between importance and satisfaction in 2002 than in previous surveys. Promoting jobs and economic development is the only area that experienced an increase in the gap between importance and satisfaction in 2002. Satisfaction has increased in the areas of preparing for disasters, supporting services for residents in need, and promoting affordable housing. Suggestions from survey respondents about how to deal with traffic congestion include improving transit service, encouraging alternate transportation choices, widening state highways, widening major city roads, and diverting traffic from neighborhoods (even if it may increase travel times).

Mr. Stroh said 79 percent of Bellevue residents in 2002 feel they are getting their money's worth for their tax dollars compared to 72 percent in 1996. Only 16 percent feel they are not getting their money's worth. When asked how the City should handle a potential budget shortfall or surplus, residents said a shortfall should be addressed by cutting services (13 percent), using reserves to maintain services (32 percent), increasing taxes (16 percent), and some other strategy (36 percent). Respondents said a surplus should be used to reduce taxes (16 percent), increase reserves (48 percent), to provide additional funding for certain services (22 percent), and handled in some other way (9 percent).

Mr. Stroh summarized the budget survey as one tool for determining how to allocate scarce City funds. A large majority of residents like the quality of life in Bellevue and its neighborhoods. Residents are generally pleased with the delivery of City services, but transportation continues to be their top concern.

Rich Siegel, Assistant Budget Manager, described staff's outreach efforts with underrepresented members of the community. The budget survey reached approximately eight percent of Asian residents, who represent 17.4 percent of Bellevue's population. Similarly, the budget survey reached two percent of Hispanic residents, who represent five percent of the city's population. Ms. Siegel met with underrepresented residents by attending English as a second language (ESL) classes. Of the residents involved in these discussions, 51 percent were from Asian countries, 28 percent were immigrants from Mexico, Central America, and South America, 14 percent were from Eastern Europe, and 7 percent were from other countries including Iran, Austria, Germany, and India. Participants ranked their budget priorities as follows: public safety, transportation, environmental protection, economic development, parks and community services, and neighborhood preservation.

Mr. Siegel summarized that the budget priorities for diversity residents are similar to those identified by budget survey respondents. Public transit is a priority and participants feel more ESL courses are needed. A separate meeting with Bellevue youth indicated the need for more recreation opportunities and places to go after school and in the evenings.

Councilmember Mosher thanked staff for reaching out to Bellevue's underrepresented population.

In response to Mayor Marshall, Mr. Stroh said suggestions for strategies to address a budget shortfall included finding efficiencies, reducing waste, user fees, partnerships, and bonds. However, the most frequent response was to use the City's reserves.

Mayor Marshall thanked staff for the presentation and declared the meeting adjourned at 10:25 p.m.

Myrna L. Basich
City Clerk

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